

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )                           8:23CR79  
                                )  
vs.                         )  
                                )  
KENNETH BREYER and      )  
ELAINE BREYER,            )                           ORDER  
                                )  
Defendants.                )

This matter is before the court on the defendant, Kenneth Breyer's unopposed Motion to Continue Trial [34]. Counsel needs additional time to resolve the matter short of trial. Counsel for co-defendant Elaine Breyer does not object to the continuance. For good cause shown,

**IT IS ORDERED** that the Motion to Continue Trial [34] is granted, as follows:

1. The jury trial, **for both defendants**, now set for July 17, 2023, is continued to **October 16, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and October 16, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).

**DATED:** June 30, 2023.

**BY THE COURT:**

s/ Susan M. Bazis  
United States Magistrate Judge